



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#12

Applicant : Johnson, et al.
 Appl. No. : 08/942,402
 Filed : October 1, 1997
 For : DIAGNOSTIC AND
 MANAGING DISTRIBUTED
 PROCESSOR SYSTEM
 Examiner : N. Wright

) Group Art Unit 2785

) I hereby certify that this correspondence and all
) marked attachments are being deposited with
) the United States Postal Service as first-class
) mail in an envelope addressed to: Assistant
) Commissioner for Patents, Washington, D.C.
) 20231, on

June 10, 1999
 (Date)

John M. Carson, Reg. No. 34,303

RECEIVED

JUN 21 1999

Group 2700

RESPONSE

Assistant Commissioner for Patents
 Washington, D.C. 20231

Dear Sir:

On April 2, 1999, the Patent Office mailed an Office Action rejecting Claims 1-10 of the above-referenced patent application as filed on October 1, 1997. However, the Office Action did not address amendments to the claims that were made in a Preliminary Amendment filed on February 24, 1999. The Preliminary Amendment added Claims 11-19. A copy of the Preliminary Amendment is enclosed. According to 37 C.F.R. § 1.105, the Examiner's action should be complete to all matters. Applicant submits that the Office action was not complete because it did not address the changes in the Preliminary Amendment.

Furthermore, according to M.P.E.P. § 710.06, if an Office Action contains a defect, the Patent Office can restart the period of response after the defect is brought to the Office's

Appl. No. : 08/942,402
Filed : October 1, 1997

attention. Accordingly, Applicant requests that the Patent Office reset the period of time after addressing the changes in the Preliminary Amendment.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 6/10/99

By: 

John M. Carson
Registration No. 34,303
Attorney of Record
620 Newport Center Drive
Sixteenth Floor
Newport Beach, CA 92660
(619) 235-8550

S:\DOCS\EMN\EMN-2961.DOC
060399